

**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

FLEETCOR TECHNOLOGIES, INC.,
et al.,

Defendants.

Case No. 1:19-cv-5727-AT

PLAINTIFF’S NOTICE OF SUPPLEMENTAL AUTHORITY

Plaintiff Federal Trade Commission (“FTC”) files this Notice to alert the Court to supplemental authority relevant to the FTC’s pending Motion for Summary Judgment filed on April 16, 2021. (Dkt. 122.)

On April 22, 2021, the U.S. Supreme Court issued a decision in *AMG Cap. Mgmt., LLC v. FTC*, attached hereto as Ex. A, holding that Section 13(b) of the FTC Act does not authorize the FTC to seek or obtain court-ordered equitable monetary relief. *See* No. 19-508, 2021 WL 1566607 (Apr. 22, 2021). Because the FTC brought the instant action under Section 13(b), (*see* Compl., Dkt. 1), the Supreme Court’s decision in *AMG* means that the FTC currently cannot obtain the

equitable monetary relief it has requested here. The decision does not affect any other aspect of the FTC's Motion for Summary Judgment.

Respectfully submitted,

Dated: April 23, 2021

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LOCAL RULE 5.1 CERTIFICATION

Pursuant to LR 7.1(D), I hereby certify that this Notice was prepared with 14-point Times New Roman font in accordance with LR 5.1(C).

/s/ Thomas C. Kost

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this Notice was served on all counsel of record through this Court's electronic filing system on this 23rd day of April 2021.

/s/ Thomas C. Kost

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